

Lead Employer Shared Parental Leave Policy

Document Summary

The purpose of this document is to provide guidance to trainees regarding Shared Parental Leave and to give direction to Clinical Supervisors, Trust Management, Host Management, Lead Employer HR and Health Education England in the application process.

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Policy Sponsor	Deputy Director of HR
Lead Executive	Director of Human Resources
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1. Scope

This policy applies to trainees who satisfy the eligibility criteria in its entirety.

This policy should be read in conjunction with the Lead Employer Maternity, Paternity and Adoption Leave policy.

2. Introduction

The Lead Employer has a duty to follow legislation in relation the ability for eligible trainees to take Shared Parental Leave and Shared Parental Pay, and the amount of leave/pay that may be available to them.

Shared Parental Leave (SPL) and Shared Parental Pay (ShPP) is available for eligible trainees whose baby is due on or after 5th April 2015 or who have a child placed with them for adoption on or after this date.

All eligible trainees have a statutory right to take SPL. There may also be an entitlement to some ShPP. This policy sets out the statutory rights and responsibilities of trainees who wish to take SPL and ShPP.

3. Statement of Intent

The aim of this policy is to ensure that all trainees are aware of their entitlements to Shared Parental Leave and Statutory Shared Parental Pay, and to inform Host Organisations and Lead Employer staff on the process and procedures in place to manage applications.

This policy is designed to inform trainees, Host Organisations and Lead Employer staff about the entitlements, eligibility and application process for Shared Parental Leave.

4. Definitions

The following definitions/abbreviations will be used throughout this policy:

SPL:	Shared Parental Leave
ShPP:	Shared Parental Pay
SMP:	Statutory Maternity Pay
SAP:	Statutory Adoption Pay
MA:	Maternity Allowance
SPLIT:	Shared Parental Leave In Touch
HEE:	Health Education England

The legislation relating to these documents includes:

- The Shared Parental Leave Regulations 2014
- The Shared Parental Pay (General) Regulations 2014

- The Maternity and Adoption Leave (Curtailment of Statutory Rights to Leave) Regulations 2014
- Employment Rights Act 1996
- Child and Families Act 2014
- Equality Act 2010

Trainees - Specialty Trainees which includes the following:

- Core trainees
- Specialist Registrars
- Fixed Term Specialty Training Appointments
- Locum Appointments for Training
- SHO (Oral and Maxillo Facial Surgery)
- Medical and Dental Public Health Trainees
- Non-medical Public Health Trainees
- Student Physician Associates (NB For such employees this policy needs to be read in conjunction with the contract of employment in order to ensure that the requirements of the highly structured training plan are met).

Hereafter, referred to as the 'trainees'.

This is not an exhaustive list.

Host Organisation – the location where the trainee is undertaking their on the job training NB where the term is used in this policy it should be regarded as including Sponsoring Organisations for Student Physician Associates.

In the case of Student Physician Associates while on academic placements in University the manager is the individual designated as such by the University Programme Director. This applies to the term throughout this policy.

5. Duties Accountabilities and Responsibilities

5.1 The Chief Executive

The ultimate responsibility in the area of legislative adherence lies with the Chief Executive.

5.2 Board of Directors

The Board are responsible for ensuring that the policy is being adhered to, both collectively and by the management and trainees in their area of responsibility. The monitoring of the impact of the policy will be delegated to the Workforce Council and the auditing to the HR Management Team; however the HR Director and Workforce Council will highlight any areas of significant shortfall identified to the Board.

5.3 Supervising Consultant/Medical Staffing/Manager

Before the trainee goes on maternity leave, the supervising consultant, manager or Medical Staffing at the host organisation must discuss and agree arrangements for keeping in touch during shared parental leave including

developments at work, vacancies, social events, minutes of team meetings and "Shared Parental Leave In Touch" or "SPLIT" days. If the trainee transfers to an alternative host organisation these "Shared Parental Leave In Touch" or "SPLIT" days should be agreed with the new host organisation

5.4 Trainees

It is the responsibility of the trainee to inform the HR Lead Employer as soon as reasonably practicable and no later than 8 weeks prior to the commencement of the Shared Parental Leave and/or Shared Parental Pay.

5.5 Lead Employer Human Resources Department

The Lead Employer HR has the responsibility for liaising and meeting with the trainee (on the phone if necessary) in relation to their application for Shared Parental Leave and/or Shared Parental Pay.

It is the responsibility of the Lead Employer Human Resources Department to liaise with Host Organisations and HEE with regards to applications received and to confirm to the trainee their eligibility for Shared Parental Leave and/or Shared Parental Pay. The Lead Employer HR is responsible through liaison with the Host Organisation for ensuring that the trainee can take their Shared Parental Leave as their entitlement and must ensure that the trainee does not exceed their entitlement. Lead Employer Human Resources must also inform Pay and Staff Services of any leave that is to be taken by trainees so that their pay can be calculated in a timely manner.

5.6 Lead Employer Pay and Staff Services

It is the responsibility of the Pay and Staff Services to confirm details of the amount of pay that may be received during the period of Shared Parental Pay.

6. Policy Information

6.1 What is Shared Parental Leave and Shared Parental Pay?

SPL enables eligible parents, adopters, carers, etc. to choose how to share the care of their child during the first year of birth or adoption. Its purpose is to give parents more flexibility in considering how to best care for, and bond with, their child.

SPL will be created when an eligible mother or adopter brings their maternity or adoption leave to an end early. This is called 'curtailing' maternity or adoption leave. The untaken weeks of maternity or adoption leave can be taken as SPL if the mother/adopter or their partner is eligible for this, up to a maximum of 50 weeks.

ShPP will be created where an eligible mother or adopter chooses to bring their maternity or adoption pay or maternity allowance to an end early. This is called reducing the maternity or adoption pay period or the maternity allowance period. The period of untaken maternity or adoption pay or

maternity allowance will become available as statutory shared parental pay, up to a maximum of 37 weeks.

6.2 Who is eligible for Shared Parental Leave?

SPL can only be used by two people:

- The mother/adopter **and**
- One of the following:
 - the father of the child (in the case of birth); or
 - the spouse, civil partner or partner of the child's mother/ adopter.

Both parents must share the main responsibility for the care of the child at the time of the birth/placement for adoption.

Eligibility Criteria

A trainee seeking to take SPL must satisfy each of the following criteria:

- The mother/adopter of the child must be/have been entitled to statutory maternity/adoption leave or if not entitled to statutory maternity/adoption leave they must be/have been entitled to statutory maternity/adoption pay or maternity allowance and must have ended or given notice to reduce any maternity/adoption entitlements;
- Trainees must still be working for the Lead Employer at the start of each period of SPL;
- Trainees must pass the 'continuity test', which requires them to have a minimum of 26 weeks' service with the Trust at the end of the 15th week before the child's expected due date/matching date;
- The trainee's partner must meet the 'employment and earnings test', which requires them in the 66 weeks leading up to the child's expected due date/matching date have worked for at least 26 weeks and earned an average of at least £30 (this is correct as of 2015 but may change annually) a week in any 13 of those weeks;
- Trainees must correctly notify the Lead Employer HR of their entitlement and complete the application forms as required.

6.3 Shared Parental Leave Entitlement

Eligible trainees may be entitled to take up to 50 weeks SPL during the child's first year in their family.

The number of weeks available is calculated using the mothers/adopter's entitlement to maternity/adoption leave. This allows them to take up to 52 weeks' leave. If mothers/adopter reduces their maternity/adoption leave entitlement then they and/or their partner may opt-in to the SPL system and take any remaining weeks as SPL.

If the mother/adopter is not entitled to maternity/adoption leave but is entitled to Statutory Maternity Pay (SMP), Statutory Adoption Pay (SAP) or Maternity Allowance (MA), they must reduce their entitlement to less than the 39 weeks. If they do this, their partner may be entitled to up to 50 weeks of SPL. This is

calculated by deducting from 52 the number of weeks of SMP, SAP or MA taken by the mother/adopter.

SPL can commence as follows:

- The mother can take SPL after she has taken the legally required two weeks of maternity leave immediately following the birth of the child
- The adopter can take SPL after taking at least two weeks of adoption leave
- The father/partner/spouse can take SPL immediately following the birth/placement of the child, but may first choose to exhaust any paternity leave entitlements (as the father/partner cannot take paternity leave or pay once they have taken any SPL or ShPP).

Where a mother/adopter gives notice to curtail their maternity/adoption entitlement then the mother/adopter's partner can take leave while the mother/adopter is still using their maternity/adoption entitlements. Please note: In this situation, the combined period(s) of shared parental leave and maternity leave combined must not exceed 52 weeks in total.

SPL will generally commence on the trainee's chosen start date specified in their leave booking notice, or in any subsequent variation notice (see "Booking Shared Parental Leave" and "Variations to arranged Shared Parental Leave" below).

If the trainee is eligible to receive it, Shared Parental Pay (ShPP) may be paid for some, or all, of the SPL period (see "5.4 Shared Parental Pay (ShPP) below).

SPL must end no later than one year after the birth/placement of the child. Any SPL not taken by the first birthday or first anniversary of placement for adoption is lost.

6.4 Statutory Shared Parental Pay (ShPP)

Eligible trainees may be entitled to take up to 37 weeks ShPP while taking SPL. The amount of weeks available will depend on the amount by which the mother/adopter reduces their maternity/adoption pay period or maternity allowance period.

ShPP may be payable during some or all of SPL, depending on the length and timing of the leave.

Eligibility Criteria

In addition to meeting the eligibility requirements for SPL, a trainee seeking to claim ShPP must further satisfy each of the following criteria:

- The mother/adopter must be/have been entitled to statutory maternity/adoption pay or maternity allowance and must have reduced their maternity/adoption pay period or maternity allowance period;

- The trainee must intend to care for the child during the week in which ShPP is payable;
- The trainee must have average weekly earnings for the period of eight weeks leading up to and including the 15th week before the child's expected due date/matching date are not less than the lower earnings limit in force for national insurance contributions;
- The trainee must remain in continuous employment with the Trust until the first week of ShPP has begun;
- The trainee must give appropriate notification in accordance with the rules set out below:

Where a trainee is entitled to receive ShPP they must, at least eight weeks before receiving any ShPP, give the HR Lead Employer a completed Notification of Entitlement form.

Any ShPP due will be paid at a rate set by the Government for the relevant tax year. Please note: Mothers who forgo any Maternity Pay in order to take up SPL cannot utilise this as ShPP.

6.5 How to curtail maternity or adoption leave

An eligible mother who wants to take SPL, or who wants to enable her partner to take SPL will be able to end her maternity/adoption leave in one of two ways:

- Returning to work before the end of her maternity/adoption leave period, therefore bringing her maternity/adoption leave to an end; or
- Give notice to the Lead Employer HR to end her maternity/adoption leave on a specified date in the future. Notice must be given at least 8 weeks before her 52 weeks maternity/adoption leave is due to end.

6.6 Notifying the Lead Employer HR of an entitlement to Shared Parental Leave

A trainee entitled and intending to take SPL must give the Lead Employer HR notification of their entitlement and intention to take to SPL, at least eight weeks before they can take any period of SPL.

Part of the eligibility criteria requires the trainee to provide the Lead Employer HR with correct notification. The forms for providing notification and/or applying for SPL/ShPP can be found in the Shared Parental Leave Toolkit.

6.7 Discussions regarding Shared Parental Leave

A trainee considering/taking SPL is encouraged to contact the HR Lead Employer to arrange an informal discussion as early as possible regarding their potential entitlement, to talk about their plans and to enable the company to support the individual.

The HR Lead Employer may upon receiving a completed notification of entitlement form (see SPL/ShPP Toolkit) may seek to arrange an informal

discussion with the trainee to talk about their intentions and how they currently expect to use their SPL entitlement. This discussion will in most circumstances be over the telephone.

Upon receiving a completed leave booking notice (see SPL/ShPP Toolkit) the HR Lead Employer will usually arrange a meeting with the trainee to discuss it prior to the request being confirmed with the trainee but given the geographical distances involved most frequently this will be on the phone. Confirmation will be provided to the trainee within 14 days.

Where a meeting is arranged it should take place in private and be arranged in advance. If the initial date is problematic then another date will be arranged if possible.

The purpose of the meeting is to discuss in detail the leave proposed and what will happen while the trainee is away from work. Where it is a request for discontinuous leave the discussion may also focus on how the leave proposal could be agreed, whether a modified arrangement would be agreeable to the trainee, Host Organisation, University and HEE, and what the outcome may be if no agreement is reached. It will be the responsibility of the Lead Employer to liaise with the Host Organisation and HEE throughout.

6.8 Booking Shared Parental Leave

The trainee has the right to submit three notifications specifying leave periods they are intending to take. Each notification may contain either

- a) a single period of weeks of leave; or
- b) two or more weeks of discontinuous leave, where the trainee intends to return to work between periods of leave.

Please note: SPL can only be taken in complete weeks but may begin on any day of the week. For example, if a week of SPL began on a Tuesday it would finish on a Monday. Where a trainee returns to work between periods of SPL, the next period of SPL can also start on any day of the week.

The trainee must book SPL by completing the appropriate forms at least eight weeks before the date on which they wish to start the leave and (if applicable) receive ShPP. Please see the separate SPL/ShPP Toolkit.

Continuous leave notifications

A notification can be for a period of **continuous leave**, which means a notification of a number of weeks taken in a single unbroken period of leave (for example, six weeks in a row).

A trainee has the right to take a continuous block of leave notified in a single notification, so long as it does not exceed the total number of weeks of SPL available to them (specified in the notice of entitlement) and the employer has been given at least eight weeks' notice.

A trainee may submit up to three separate notifications for continuous periods of leave.

Discontinuous leave notifications

A single notification may also contain a request for two or more periods of **discontinuous leave**, which means asking for a set number of weeks of leave over a period of time, with breaks between the leave where the trainee returns to work (for example, an arrangement where a trainee will take six weeks of SPL and work every other week for a period of three months).

Where there is concern over accommodating the notification, the HR Lead Employer or the trainee may seek to arrange a meeting to discuss the notification with a view to agreeing an arrangement that meets both the needs of the trainee and the department (see “Discussions regarding Shared Parental Leave” above). Again this may be over the phone.

The HR Lead Employer will consider a discontinuous leave notification but has the right to refuse it after consulting with the Host Organisation, University and HEE. If the leave pattern is refused, the trainee can either withdraw it within 15 days of giving it, or can take the leave in a single continuous block.

6.9 Responding to a Shared Parental Leave Request

Once the HR Lead Employer receives the leave booking notice, it will be dealt with as soon as possible, but a response will be provided no later than the 14th day after the leave request was made.

All requests for discontinuous leave will be carefully considered, weighing up the potential benefits to the trainee and to the department against any adverse impact to the Host Organisation/ Lead Employer and on their training following consultation with HEE and for a Student Physician Associate, the University.

Each request for discontinuous leave will be considered on a case-by-case basis. Agreeing to one request will not set a precedent or create the right for another trainee to be granted a similar pattern of SPL.

The trainee will be informed in writing by Lead Employer HR as soon as is reasonably practicable, but no later than the 14th calendar day after the leave notification was made. The request may be granted in full or in part: for example, the Lead Employer HR may propose a modified version of the request.

If a discontinuous leave pattern is refused then the trainee may withdraw the request without detriment on or before the 15th calendar day after the notification was given; or may take the total number of weeks in the notice in a single continuous block.

If the trainee chooses to take the leave in a single continuous block, the trainee has until the 19th calendar day from the date the original notification was given to choose when they want the leave period to begin. The leave cannot start sooner than eight weeks from the date the original notification was submitted. If the trainee does not choose a start date then the leave will begin on the first leave date requested in the original notification.

6.10 Variations to arranged Shared Parental Leave

The trainee is permitted to vary or cancel an agreed and booked period of SPL, provided that they advise the HR Lead Employer by completing the variation/cancellation of booked leave notice (see SPL/ShPP Toolkit) at least eight weeks before the date of any variation. Any new start date cannot be sooner than eight weeks from the date of the variation request.

Any variation or cancellation notification made by the trainee, including notice to return to work early, will usually count as a new notification reducing the trainee's right to book/vary leave by one. However, a change as a result of a child being born early, or as a result of the Lead Employer requesting it be changed, and the trainee being agreeable to the change, will not count as further notification. Any variation will be confirmed in writing by the Lead Employer HR.

6.11 Terms and conditions during Shared Parental Leave

During the period of SPL, the trainee's contract of employment continues in force and they are entitled to receive all their contractual benefits, except for salary. In particular, any benefits in kind (such as use of a Lead Employer/Host Organisation laptop etc.) will continue and contractual annual leave entitlement will continue to accrue.

Pension contributions will continue to be made during any period when the trainee is receiving ShPP but not during any period of unpaid SPL. Trainees' contributions will be based on actual pay.

6.12 Annual leave

SPL is granted in addition to a trainee's normal annual leave entitlement. There is no entitlement to Bank Holidays accrued during period(s) of SPL. Trainees are reminded that annual leave should wherever possible be taken in the year that it is earned in accordance with the Lead Employer's Annual Leave Policy - the exception to this may be that of Student Physician Associates where the leave is all pre-allocated..

Where an SPL period overlaps two leave years the trainee should consider how their annual leave entitlement can be used to ensure that it is not lost at the end of the trainee's annual leave year.

6.13 Contact during Shared Parental Leave

Before a trainee's SPL begins, the Host Organisation will discuss the arrangements for them to keep in touch during their leave. The Lead Employer, Host Organisations, Universities and HEE reserve the right in any event to maintain reasonable contact with the trainee from time to time during their SPL. This may be to discuss the trainee's plans to return to work, to ensure the individual is aware of any possible promotion opportunities, to discuss any special arrangements to be made or training needs or training to be given to ease their return to work or simply to update them on developments at work during their absence.

6.14 Shared Parental Leave in Touch (SPLIT) days

An trainee can agree to work for the Host Organisation (or attend training) for up to 20 days during SPL without bringing their period of SPL to an end or impacting on their right to claim ShPP for that week. These are known as "Shared Parental Leave In Touch" or "SPLIT" days. Any work carried out on a day or part of a day shall constitute a day's work for these purposes.

The Lead Employer has no right to require the trainee to carry out any work, and is under no obligation to offer the trainee any work, during the trainee's SPL. Any work undertaken is a matter for agreement between the Lead Employer and trainee.

A trainee taking a SPLIT day will receive full pay for any day worked. If a SPLIT day occurs during a week when the trainee is receiving ShPP, this will be effectively 'topped up' so that the individual receives full pay for the day in question. Any SPLIT days worked do not extend the period of SPL.

A trainee, with the agreement of the HR Lead Employer, the Host Organisation and HEE, may use SPLIT days to work part of a week during SPL. The Lead Employer, Host Organisation, HEE, University and the trainee may also use SPLIT days to affect a gradual return to work by the trainee towards the end of a long period of SPL or to trial a possible flexible working pattern.

6.15 Returning to work after Shared Parental Leave

The trainee will have been formally advised in writing by the Lead Employer of the end date of any period of SPL. The trainee is expected to return on the next working day after this date, unless they notify the HR Lead Employer otherwise. If they are unable to attend work due to sickness or injury, the Lead Employer's Attendance Management Policy and Procedure absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence and the Lead Employer's Overpayments/Incorrect Payments Policy will apply.

If the trainee wishes to return to work earlier than the expected return date, they must complete a variation/cancellation of booked leave notice, giving at least eight weeks' notice of their date of early return. This will count as one of the trainee's notifications. If they have already used their three notifications to book and/or vary leave then the Lead Employer does not have to accept the notice to return early but may do if it is considered to be reasonably practicable to do so.

On returning to work after SPL, the trainee is entitled to return to the same job if the trainee's aggregate total statutory maternity/paternity/adoption leave and SPL amounts to 26 weeks or less. The same job is the one they occupied immediately before commencing maternity/paternity/adoption leave and the most recent period of SPL, on the same terms and conditions of employment as if they had not been absent.

If their maternity/paternity/adoption leave and SPL amounts to more than 26 weeks in aggregate, the trainee is entitled to return to the same job they held before commencing the last period of leave or, if this is not reasonably practicable, to another job which is both suitable and appropriate and on terms and conditions no less favourable.

If the trainee also takes a period of unpaid parental leave of 4 weeks or less this will have no effect on the trainee's right to return and the trainee will still be entitled to return to the same job as they occupied before taking the last period of leave if the aggregate weeks of maternity/paternity/adoption and SPL do not exceed 26 weeks.

If a parent takes a period of 5 weeks of unpaid parental leave, even if the total aggregate weeks of maternity/paternity/adoption and SPL do not exceed 26 weeks, the trainee will be entitled to return to the same job they held before commencing the last period of leave or, if this is not reasonably practicable, to another job which is suitable and appropriate and on terms and conditions no less favourable.

For Student Physician Associates any return to work must fit with the requirements of the structured training programme (see contract of employment).

6.16 Fraudulent claims

The Lead Employer can, where there is a suspicion that fraudulent information may have been provided or where the Lead Employer has been informed by the HMRC that a fraudulent claim was made, investigate the matter further in accordance with the Lead Employer disciplinary policy. Providing misleading or false information including claiming eligibility where no eligibility exists could result in disciplinary action being taken up to and including an allegation of gross misconduct. In addition, the Lead Employer reserves the right to bring any such cases to the attention of MIAA.

6.17 Special circumstances and further information

In certain situations a trainee's rights and requirements regarding SPL and ShPP may change. In these circumstances the Lead Employer will abide by any statutory obligations. Trainees should clarify any issues or queries with the HR Lead Employer.

7. TRAINING

Working in partnership with Host Organisations, Universities and HEE, the Lead Employer Human Resources Department will provide appropriate support including where necessary, policy briefing sessions, policy guides and information at Induction.

8. MONITORING COMPLIANCE WITH THIS DOCUMENT

The table below outlines the Trusts' Key Performance indicators and monitoring arrangements for this policy/document. The Trust reserves the

right to commission additional work or change the monitoring arrangements to meet organisational needs.

8.1 Key performance Indicators of the Policy

Describe Key Performance Indicators (KPIs)	Frequency of Review	Lead
Ensure responses are provided to trainees within 14 days of request	Annual	Head of HR Lead Employer

8.2 Performance Management of the Policy

Aspect of compliance or effectiveness being monitored	Monitoring method	Individual responsible for the monitoring	Frequency of the monitoring activity	Group / committee which will receive the findings / monitoring report	Group / committee / individual responsible for ensuring that the actions are completed
Ensuring response are provided to trainees within 14 days of the request as detailed in the policy.	Audit of application dates and response letter dates	HR Services Managers and HR Advisor	Annually	Workforce Council	Head of HR Lead Employer

9. REFERENCES/ BIBLIOGRAPHY

GREAT BRITAIN. ACAS (2014) *Shared Parental Leave: a good practice guide for employers and employees*. London: ACAS.

CIPD (2014) Shared Parental Leave [Online] Available from: <http://www.cipd.co.uk/hr-resources/factsheets/shared-parental-leave.aspx> [Accessed: 24th November 2014]

GREAT BRITAIN. DEPARTMENTFOR BUSINESS, INNOVATION AND SKILLS (2014) *Shared Parental Leave and Pay: Employers' Technical Guide to Shared Parental Leave*. London: Department for Business, Innovation and Skills.

10.RELATED LEAD EMPLOYER POLICY/PROCEDURES

- Maternity, Paternity and Adoption Leave Policy

Appendix 1 Equality Analysis

“St Helens and Knowsley Teaching Hospitals NHS Trust is committed to creating a culture that promotes equality and embraces diversity in all its functions as both an employer and a service provider. Our aim is to provide a safe environment, free from discrimination, and a place where all individuals are valued and are treated fairly. The Trust adheres to legal requirements and seeks to mainstream the principles of equality and diversity through all its policies, procedures and processes.

The Trust takes a zero tolerance approach to all forms of discrimination, harassment and victimisation and will make every effort to ensure that no patient or employee is disadvantaged, either directly or indirectly, on the basis that they possess any of the “protected characteristics” as defined by the [Equality Act 2010](#) . The protected characteristics are as follows: - race; disability; sex; religion or belief; sexual orientation; gender reassignment; marriage and civil partnership; pregnancy and maternity; and age.

This policy will be implemented with due regard to these commitments.

All authors of policy documents must include a completed equality analysis Stage 1 screening. Policy authors must refer to the Trust [Equality and Diversity Policy 2011](#) and the equality analysis toolkit and associated guidance documents (Stage 1 and Stage 2) available on the intranet.

Equality Analysis for this policy

<u>Equality Analysis Stage 1 Screening</u>		
1	Title of Policy:	Shared Parental Leave
2	Policy Author(s):	HR Project Manager
3	Lead Executive:	Director of Human Resources
4	Policy Sponsor	Deputy Director of Human Resources
5	Target Audience	Clinical Supervisors, Trust Management, host management, Lead Employer HR, HEE and trainees
6	Document Purpose:	To meet the statutory and regulatory requirements of the Trust and to provide staff with consistent ‘user friendly’ accessible policy documents.
7	Please state how the policy is relevant to the Trusts general equality duties to: <ul style="list-style-type: none"> eliminate discrimination advance equality of opportunity foster good relations 	This document is the key document to advise trainees of the statutory entitlements to Shared Parental Leave and Shared Parental Pay.
8	List key groups involved or to be involved in policy development (e.g. staff side reps, service users, partner agencies) and how these groups will be engaged	This is a new policy and has been discussed at the HR Policy Sub Group attended by staff side representatives and HR Services Managers.
<p><i>NB Having read the guidance notes provided when assessing the questions below you must consider,</i></p> <ul style="list-style-type: none"> Be very conscious of any indirect or unintentional outcomes of a potentially discriminatory nature Will the policy create any problems or barriers to any protected group? Will any protected group be excluded because of the policy? Will the policy have a negative impact on community relations? 		

If in any doubt please consult with the Patient and Workforce Equality Lead

9	Does the policy significantly affect one group less or more favourably than another on the basis of: answer 'Yes/No' (please add any qualification or explanation to your answer particularly if you answer yes)		
		Yes/No	Comments/ Rationale
	• Race/ethnicity	No	
	• Disability (includes Learning Disability, physical or mental disability and sensory impairment)	No	
	• Gender	No	
	• Religion/belief (including non-belief)	No	
	• Sexual orientation	No	More likely to affect heterosexual staff on a statistical basis.
	• Age	No	More likely to affect younger staff on a statistical basis.
	• Gender reassignment	No	
	• Pregnancy and Maternity	No	
	• Marriage and Civil partnership	No	More likely to affect married staff or staff in a relationship on a statistical basis
	• Carer status	No	
10	Will the policy affect the Human Rights of any of the above protected groups?	Yes	Please see above
11	If you have identified potential discrimination, are there any exceptions valid, legal and/or justifiable?	N/A	
12	If you have identified a negative impact on any of the above-protected groups, can the impact be avoided or reduced by taking different action?	N/A	
13	How will the effect of the policy be reviewed after implementation?	The policy will be audited at least annually in line with the key performance indicators	

If you have entered yes in any of the above boxes you **must** contact the Patient and Workforce Equality Lead (0151 430 1042/ Annette.craghill@sthk.nhs.uk) to discuss the outcome and ascertain whether a **Stage 2 Equality Analysis Assessment** must be completed.

Name of manager completing assessment: (must one of the authors)	Jim Flynn
Job Title of Manager completing assessment	HR Project Manager
Date of Completion:	Dec 2014

The Trust has a duty as a public body to publish all completed Equality Analysis Screening and Assessments. Please forward a copy of your completed proforma to Annette.craghill@sthk.nhs.uk

The Patient and Workforce Equality Lead will conduct an audit on all completed Screening and Assessments every six months.